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SEP & RET

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January 22, 2008

Subject: Request refund for the unused fees of Revival (unavoidably, unintentionally) and Notice of Appeal for application no. 10/725,226 filing date: 12/01/2003 Art Unit no. 3683 being abandoned

Refund Department

United States Patent & Trademark Department  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Mr. Director,

I refer to a Notice of Abandonment of 08/03/2006 from Mr. Robert Siconolfi; Examiner of United States Patent Office concerning my application.

After that, I have called Mr. Siconolfi; Examiner about the status and how to apply for revival of my application. He advised me to file a form PTO/SB/ 61; Petition for Revival of an Application (unavoidably under 37CR 1.137 a) for  
a small entity fee of \$250.- filed on 09/25/2006

I received a reply letter of 01/16/2007 from United States Patent Office recommending me to prompt file another form PTO/SB/ 64; Petition for Revival of an Application (unintentionally under 37CR 1.137 b) for  
a small entity fee of \$750.- filed on 01/26/2007

I received a reply letter of 03/26/2007 from United States Patent Office indicating me to submit a Notice of Appeal for  
a small entity fee of \$250.- filed on 04/09/2007

Finally, I got a letter of 09/04/2007 from United States Patent Office that the above-cited application remains abandoned, there is no way to revive in the case of the application.

So, I am writing to your office requesting that you refund the above unused fees with a total of \$ 1,250.- of all Revival (unavoidably and unintentionally) and Notice of Appeal as soon as possible. Enclosed please find copies of the above-cited documents as evidence.

Respectfully,

Henri Duong